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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/561,402	12/15/2005	Roy Neville Mann	101443.0001US1	6547	
34284	7590	07/14/2006	EXAMINER		
ROBERT D. FISH				MENEZES, MARCUS	
RUTAN & TUCKER LLP				ART UNIT	
611 ANTON BLVD 14TH FLOOR				PAPER NUMBER	
COSTA MESA, CA 92626-1931				3677	

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/561,402	MANN, ROY NEVILLE
	<b>Examiner</b>	<b>Art Unit</b>
	Marcus Menezes	3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 15 December 2005.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-28 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-4, 9-12, 27 and 28 is/are rejected.  
 7) Claim(s) 5-8 and 13-26 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 15 December 2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 5-8 and 13-26 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot be dependent upon another multiple dependent claim and claims cannot be dependent upon improper multiple dependent claims. See MPEP § 608.01(n). Accordingly, the claims 5-8 and 13-26 are not been further treated on the merits.

### ***Claim Rejections - 35 USC § 112***

2. Claims 27-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. These claims are omnibus type claims.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

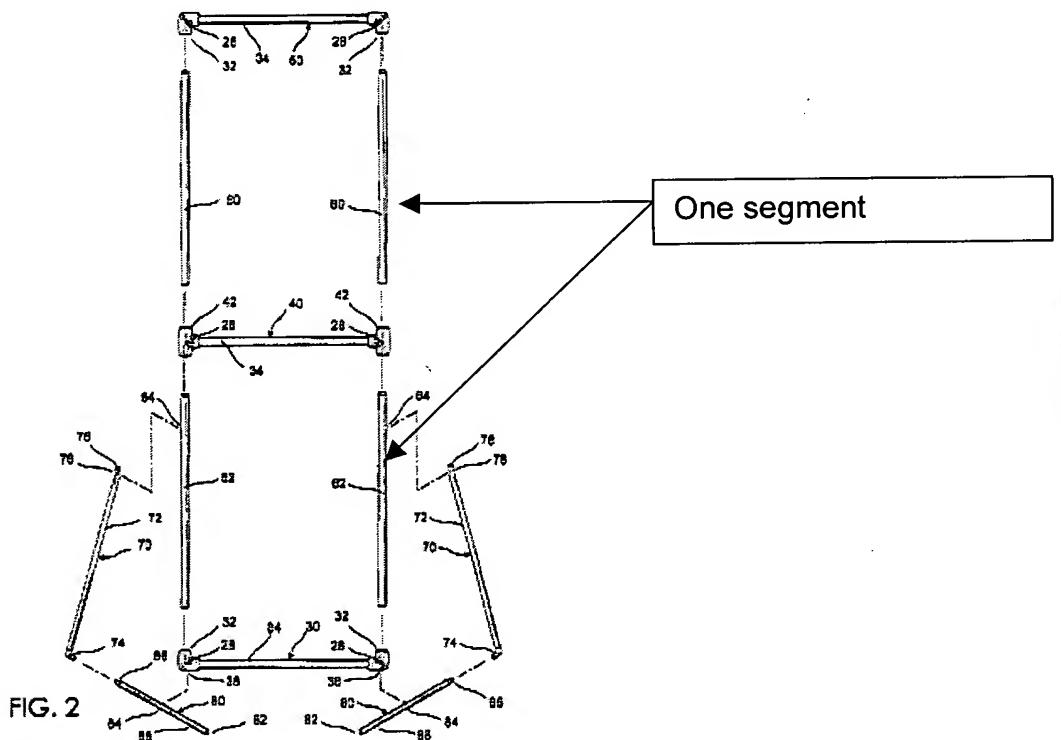
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 9-11 and 27-28 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Peterson (US Patent No. 6,161,320).

Peterson discloses a structural part for a structural arrangement, which includes an angular frame formed of resiliently flexible frame segments (50,60,62,30) (see col. 3, lines 19-21) that each define a segment of the frame between two corners thereof; and a flexible sheet element (20) (see col. 4, lines 42-50) that is securely located on the

frame and that spans the frame, the structural part being collapsible by performing a manual twisting and folding operation on the frame to thereby provide a compact storage configuration of the structural part (see col. 6, lines 42-44 and col. 7, lines 41-63). (See figure below).



Further, Peterson discloses that the angular frame is a rectangular frame defined by four frame segments. Also, each frame segment comprises an elongate, resiliently flexible frame element and the frame elements are connected together at their ends by connector pieces (28) that form the corners of the angular frame. Finally, Peterson discloses a structural part for a structural arrangement that is substantially as described in the Applicant's specification and accompanying drawings. (See figure above).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Tafforeau (US Patent No. 6,332,284).

Peterson discloses the frame elements, but fails to disclose that said frame elements are formed of a carbon fiber reinforced material.

Tafforeau teaches of a similar collapsible display structure which utilizes carbon fiber based material for its frame elements (8,12). (See col. 5, lines 38-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the teaching of the frame elements being made of a carbon fiber reinforced material in Peterson in view of Tafforeau in order to provide sufficient strength to the frame elements without sacrificing flexibility or weight.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Menezes whose telephone number is 571-272-6284. The examiner can normally be reached on 8:00am - 5:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marcus Menezes  
Examiner  
Art Unit 3677

MM



ROBERT J. SANDY  
PRIMARY EXAMINER